

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-090345

11/29/2011

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT

M. Kay

Deputy

IN RE THE MARRIAGE OF
CHRISTOPHER MICHAEL MASON

CHRISTOPHER MICHAEL MASON
3525 N SONORAN HEIGHTS
MESA AZ 85207

AND

AMY BETH MASON

M WAYNE LEWIS

FAMILY COURT SERVICES-CCC

RULING

After an Evidentiary Hearing held on October 7, 2011 the Court took under advisement Petitioner/Father's Petition to Modify Child Support. The Court has had an additional opportunity to consider the evidence and argument presented by both parties.

IT IS ORDERED affirming the findings and orders issued on the record and reflected in the Court's minute entry of October 7, 2011.

Under the circumstances presented,

THE COURT FINDS it appropriate to grant Father's Petition to Modify Child Support. This is a support obligation for 3 minor children: Christopher (DOB: 12/15/96), Emma (DOB: 9/18/00) and Grace (DOB: 11/14/02). The parties submitted evidence and argument supporting multiple modifications. The Court finds that it is appropriate to issue 3 modification orders based on changed circumstances. The first will be effective July 1, 2011. No competent evidence was submitted relating to childcare costs and as a result those costs will not be provided as an adjustment in the worksheet.

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IT IS ORDERED that each party shall bear their own daycare costs during their respective physical custody.

Further, there was no request in the change of the custody designation or parenting time adjustment and as a result the parenting time adjustments will remain at 148 days for all calculations.

IT IS FURTHER ORDERED affirming that Father's spousal maintenance obligation (which is a further adjustment to support) was reduced from \$3,200.00 per month to \$2,500.00 per month effective September 1, 2011.

For the months of July and August 2011, Father's income is attributed at \$16,667.00 and Mother's income is attributed at \$2,080.00 per month and there is a spousal maintenance adjustment of \$3,200.00 per month. Father's pays medical insurance at \$671.50; there are no daycare costs and Father is given a parenting time adjustment of 148 days. Father's support obligation of \$984.01 per month is effective for the months of July and August 2011.

Effective September 1, 2011, all of the adjustments remain the same except that Father pays spousal maintenance in the amount of \$2,500.00 per month. Father's support obligation of \$1,113.07 per month is effective for September and October 2011.

Effective November 1, 2011, Father's income is attributed at \$16,824.00 per month and Mother is attributed income at \$2,500.00 per month. There is an additional spousal maintenance adjustment of \$2,500.00 and Father pays medical insurance for the minor children at \$362.00 per month. Again, because of the failure to meet the burden of proof there are no daycare costs provided as an adjustment. Father is given a parenting time adjustment of 148 days. Father's support obligation of \$1,166.65 is effective November 1, 2011.

IT IS ORDERED that Father shall pay Mother child support in the amount of \$1,166.65 per month plus spousal maintenance in the amount of \$2,500.00 per month together with the handling fee of \$5.00 per month by wage assignment through the Support Payment Clearinghouse. Father is advised that until such time as the Order of Assignment becomes effective, and during any time when no Order of Assignment is in place, Father has an affirmative obligation to pay the child support directly to the Support Payment Clearinghouse. Father shall immediately notify the Court of any change in his employment by filing a Current Employer Information sheet.

LET THE RECORD REFLECT that an Order of Assignment will be initiated electronically.

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All other orders are affirmed.

To the extent that there has been an overpayment of the support obligation based on the orders entered herein, the parties shall attempt to negotiate a reasonable monthly reduction. If no agreement is reached, Father may request a modified order of assignment.

THE COURT FINDS that there is a disparity of income in Father's favor and that Mother has unreasonably failed to comply with disclosure and discovery requirements.

IT IS ORDERED that each party is to pay their own attorney's fees. Father is awarded his filing fee cost associated with his petition to modify.

IT IS ORDERED that the requirements of Rule 81 are waived and this minute entry is signed as the formal written Order of this Court.

FILED: Child Support Worksheets.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

December 2, 2011
Date

/ s / HONORABLE DAVID M. TALAMANTE

JUDICIAL OFFICER OF THE SUPERIOR COURT